

NETFLIX, INC. v. BLOCKBUSTER INC.

Case No. 06 2361 WHA (JCS)

EXHIBIT I

TO

**DECLARATION OF WILLIAM J. O'BRIEN IN SUPPORT OF
BLOCKBUSTER'S BRIEF ON CLAIM CONSTRUCTION**

Filed on December 27, 2006

mover e mucinous 813

a mouth will hold
n. 2 : a small
ament or a sister

larval mouthparts

or appendage near
in gathering or eating

sped at or sombre
is in the mouth of
esses or interpreters
lawyer

reaching a method of
is placed lightly on
ctim's lungs by bl

; them

usu. antiseptic fluid
refreshing the breath
arousing the appetite
> mouth-washer

589) 1 : marked by
anxiousness
fr. MF, ram —
has been sheared and
1 : capable of being
~ holidays) — mov
V'mü-vä-tä-nüs

n article of furniture

move, move in, fr.
it vi (13c) 1 a (1) :
on with a consciousness
toward a certain place
(moved into chess
checkers ~ along
moving with the times
PART C : to change
; life or activities
3 : to change position
; take action : ACT
in a usual way : ACT
began to ~ c
's turn 6 : to make
long hands by holding
the bowels ; EVACUATE
f (2) : to dislodge and
transfer (as a piece) so
as to cause to go or remain
(~ the flag used to
cause to operate a
machine) 7 : to
cause to change position
; doing of something
in) 5 a : to suffice
by such kindness) b
show of emotion (to
take a formal appearance
assembly (monde) to
void 9 : to cause
diseases 10 : to change
or keep in mind
the fact of changes
transmissions initiated
by watercourses motion and
a ship driven against
and suggests a great motion)
(as in chess) b
t. to gain an object
early was a smart
tion c : one of a group
location e : an
ove 1 : in a state
is constantly in
ng progress (used
of work — move
toward

it movement : SWIF
TNESS n

ict or process of moving
(2) : a particular
strategic shifting of
military units

ICY, TREND (denot
ized activities would
, promote or establish
of a mechanism
; the rhythmic char
inct structural un
and themes and for
particular styl
y (as in a painting)
b : the vibration con
stantly held in

o's interest (as a quickly moving action-filled plot) 6 a : an act of voiding the bowels b : matter expelled from the bowels at one passage
mover v'mü-vär, n (14c) : one that moves or sets something in motion
mover v'mü-vär, n (14c) : one whose business or occupation is the moving of household
goods from one residence to another
mover and shaker n, pl movers and shakers (1951) : a person who is active or influential in some field of endeavor
mou-le V'mü-lé, n [moving picture] (1902) 1 : MOTION PICTURE 2 pl
; showing of a motion picture 3 pl : the motion-picture medium or industry
mou-le-dom V'mü-lé-däm, n (1916) : FILMDOM
mou-le-go'er V'mü-gör, n (1923) : FILMGOER — mou-le-going V'mü-lé-
-go'ing, n, often attrib
mou-le-maker V'mü-mä-kär, n (1915) : one who makes movies — mou
-le-marking V'mü-kär-ing, n
mou-ling adj (14c) 1 a : marked by or capable of movement b : of or relating to a change of residence (~ expenses) c : used for transferring furnishings from one residence to another (a ~ van) d : involving a motor vehicle that is in motion (~ a violation) 2 a : producing or transferring motion or action b : stirring deeply in a way that evokes a strong emotional response — mou-lingly V'mü-vin-ly, adv
PA-SY MOVING, IMPRESSIVE, POIGNANT, AFFECTING, TOUCHING, PATHETIC mean having the power to produce deep emotion. MOVING may apply to any strong emotional effect including thrilling, exhilarating, rousing, or calling forth pity or sympathy (a moving appeal for contributions). IMPRESSIVE implies compelling attention, admiration, wonder, or conviction (an impressive list of achievements). POIGNANT applies to what keenly or sharply affects one's sensibilities (a poignant documentary on the homeless). AFFECTING is close to MOVING but most often suggests pathos (an affecting deathbed reunion). TOUCHING implies arousing tenderness or compassion (the touching innocence in a child's eyes). PATHETIC implies moving to pity or sometimes contempt (pathetic attempts to justify misconduct).

moving picture n (1896) : MOTION PICTURE

Mov-o-lo, V'mü-vä-lö-lö, trademark — used for a device for editing motion-picture film and synchronizing the sound

mow V'mü, n [ME, heap, stack, fr. OE mīga; akin to ON mīgl heap] 1 a piled-up stack (as of hay or fodder); also : a pile of hay or grain in a barn 2 : the part of a barn where hay or straw is stored

mow V'mü, vb mowed; mowed or mown V'mü, mow-ing [ME, fr. OE mōwan; akin to OHG mōan to mow, L metere to reap, mow, Gk emai] v (bef 12c) 1 a : to cut down with a scythe or sickle or scythe b : to cut the standing herbage (as grass) of 2 a (1) : to kill or destroy in great numbers or mercilessly (machine guns ~ed down the enemy) (2) : to cause to fall : KNOCK DOWN b : to overcome swiftly and decisively : ROUT (~ed down the opposing team) — vi 1 : to cut down standing herbage (as grass) — mow'er V'mü(-ö), n

mow V'mü, mō, vi (15c) : AF MOWNE, of Gmc origin; akin to Old Norse proutruding lip) (14c) : GRIMACE

moxa V'mü-sä, n [NL, fr. Jp moxoto] (1675) : a soft woolly mass prepared from the ground young leaves of a Eurasian artemisia (esp. *Artemisia vulgaris*) that is used in traditional Chinese and Japanese medicine typically in the form of sticks or cones which are ignited and placed on or close to the skin or used to heat acupuncture needles

mox-a-bus [L *muk-si-bus-chen*] n [moxa + -bus] (as in com
-bustion) (1910) : the therapeutic use of moxa

moxa V'mü-sä, n [NL, fr. Mexico, a trademark for a soft drink] (1930) 1 : ENERGY, PEP 2 : COURAGE, DETERMINATION 3 : KNOW-HOW

moyon-øga V'mü-wä-yé-'nøzh, adj [F *moyen øge* Middle Ages] (1849) : of or relating to medieval times

mozo-ral-la V'mü-sä-'rø-lä, n [It, dim. of *mozza*, a kind of cheese, fr. *mozzare* to cut off, fr. *mota* cut off, docked, fr. VL **munitus*, after, or *luminus*] (1911) : a moist white unsalted unripened cheese of mild flavor and a smooth rubbery texture

mozo-ric-to V'mü-sä-'rik-to, n [It, prob. fr. *mozzo* cut off] (1774) : a short tape with a small ornamental hood worn over the rochet by Roman Catholic prelates

MP V'mü-päl, n (1921) 1 [military police] : a member of the military police 2 [member of Parliament] : an elected member of a parliament

MP abbr 1 melting point 2 metropolitan police 3 milepost

MPA abbr master of public administration

MPAA abbr Motion Picture Association of America

MPEG V'mü-näg, n [Moving Pictures Experts Group] (1988) 1 : any of a group of computer file formats for the compression and storage of digital video and audio data 2 : a computer file (as of a movie) in an MPEG format

mpg abbr miles per gallon

mph abbr miles per hour

MPH abbr master of public health

MPHASE n [mitosis] (1945) : the period in the cell cycle during which cell division takes place — compare G, PHASE, O, *Ø*, PHASE, S PHASE

MPhil doctor master of philosophy

MPS abbr meters per second

MP3 V'mü-(ä)-pe'-thré, n [fr. the file extension .mp3 used for such files, short for MP3 Audio Layer 3] (1996) 1 : a computer file format for the compression and storage of digital audio data 2 : a computer file (as of a song) in the MP3 format

MPV abbr multipurpose vehicle

MPX abbr multiplex

MP abbr millirogen

MR V'mü-tör, In rapid speech esp in sense 2 (jmls(t)) n, pl Messirs. V'mü-rrs [M. fr. ME, abbr. of master master, Messrs. abbr. of Messieurs, fr. L pl. of Monsieur] (15c) 1 : used as a conventional title of courtesy except when usage requires the substitution of a title of rank or an honorific or professional title before a man's surname (spoke to Mr. Doe) 2 : used in direct address as a conventional title of respect before a man's title of office (may I ask one more question, Mr. President) 3 : used before the name of a place (as a country or city) or of a profession or activity (as a sport) or before some epithet (as clever) to form a title applied to a male viewed or recognized as representative of something indicated (Mr. Baseball)

Mr. Charlie V'char-é, n [Charlie, fr. Charles, proper name] (ca. 1941) : disparaging : a white man : white people

MRE abbr meals ready to eat

MRI \üm-rä'-rä, n (1982) : MAGNETIC RESONANCE IMAGING; also : the procedure in which magnetic resonance imaging is used

mrl-dan-ga \üm-rä'-än-gä, \üm-rä'-än-gä, \üm-rä'-än-gä \ügmä, n [Skt *mrdayaga

mRNA abbr messenger RNA*

Mr. Right n (1860) : a man who would make the perfect husband

Mrs. \üm-üs, -səs, esp Southern \üm-üs'-zəs, or in rapid speech in sense 1 (jmls, or before given names) \üm-üs, n, pl Mes-dames \üm-däm, \üm-däm, \üds abbr. of mistress; Mesdames fr. F. pl. of Madame (ca. 1578) 1 a : used as a conventional title of courtesy except when usage requires the substitution of a title of rank or an honorific or professional title before a married woman's surname (spoke to Mrs. Doe) b : used before the name of a place (as a country or city) or of a profession or activity (as a sport) or before some epithet (as clever) to form a title applied to a married woman viewed or recognized as representative of the thing indicated (Mrs. Golf) 2 : WIFE (left with the Mrs.)

Mrs. Grundy V'gründ-y, n [fr. a character alluded to in Thomas Morton's *Speed the Plough* (1798)] (1813) : one marked by prudish conventionality in personal conduct

MS abbr millennium

Ms. \üm-üs, n, pl MSS. or Mses. \üm-üs-zəs [prob. blend of Mrs and Ms] (1949) — used instead of Mrs or Ms (as when the marital status of a woman is unknown or irrelevant) (Ms Mary Smith)

MS abbr 1 [lit mano sinistra] left hand 2 manuscript 3 master of science 4 military science 5 Mississippi 6 motor ship 7 multiple sclerosis

MS abbr master of science

MSE abbr millisecond

msg abbr message

MSG abbr 1 master sergeant 2 monosodium glutamate

Msgr abbr monsignor

MSgt abbr master sergeant

MSH abbr melanocyte-stimulating hormone

M16 \üm-äls'-ük'-stén, n [model 16] (1968) : a .223 caliber (5.56 millimeter) gas-operated magazine-fed rifle for semiautomatic or automatic operation used by U.S. troops since the mid 1960s

MSL abbr mean sea level

MSN abbr master of science in nursing

MSS abbr manuscripts

MST abbr mountain standard time

MSW abbr master of social welfare; master of social work

mt abbr mount; mountain

Mt abbr Matthew

Mt symbol meltinrium

MT abbr 1 machine translation 2 metric ton 3 Montana 4 mountain lime

MTDNA abbr mitochondrial DNA

mtg abbr meeting

mtg abbr mortgage

mtn abbr mountain

MTO abbr Mediterranean theater of operations

mu V'mü, 'mü, n [Gk my] (1636) : the 12th letter of the Greek alphabet

— see ALPHABET table

muc- or mucil- or mucoid comb form [L *muc*, fr. *mucus*] 1 : mucus (*mucoprotein*) 2 : mucous and (*mucocutaneous*)

much V'müch, adj more V'mör, most V'most, n [ME *muche* large, much, fr. *michel*, *muchel*, fr. OE *miccl*, *myccl*; akin to OHG *miliññ* great, large, L *magnus*, Gk *megas*, Skt *mahat*] (13c) 1 a : great in quantity, amount, extent, or degree (there is ~ truth in what you say) (taken too ~ time) b : great in importance or significance (nothing ~ happened) 2 obs : many in number 3 : more than is expected or acceptable : more than enough (the large pizza is a bit ~ for one person) — too much 1 : WONDERFUL, EXCITING 2 : TERRIBLE, AWFUL

much ad more; most (13c) 1 a (1) : to a great degree or extent : CONSIDERABLY (~ happier) (2) : VERY (~ gratified) b (1) : FREQUENTLY, OFTEN (~ away from home) (2) : by or for a long time (didn't get to work ~ before noon) c : by far (was ~ the brightest student) 2 : NEARLY, APPROXIMATELY (looks ~ the way his father did) — 25 much 1 : the same in quantity (not quite as much money) 2 : to the same degree (likes baseball almost as much as he likes golf)

much n (13c) 1 : great quantity, amount, extent, or degree (gave away ~) 2 : something considerable or impressive

mu-cha-cho \üm-chä'-chö, n, pl -chos [Sp., prob. fr. *macho* crooked, shorn] (1591) 1 chiefly Southwest : a male servant 2 chiefly Southwest : a young man

much as conj (ca. 1699) : however much : even though .

much less conj (1615) : not to mention — used esp. in negative contexts to add to one item another denoting something less likely (can hardly grow, much less ripen, till the stock is in the earth — Jonathan Swift)

muchness V'moch-nës, n (14c) : the quality or state of being great in quantity, extent, or degree — muchness : very much the same

mu-cl-i-lage \üm-myü-s(-ä)-läj, n [ME *muscilage*, fr. LL *mucillago* mucus, musty juice, fr. L *mucus*] (15c) 1 : a gelatinous substance of various plants (as legumes or seaweeds) that contains protein and polysaccharides and is similar to plant gums 2 : an aqueous usu. viscid solution (as of a gum) used esp. as an adhesive

mu-chlag-i-nous \üm-myü-sä'-läj-ä-nüs, adj [ME *mucilaginous*, fr. LL *mucilaginosus*, fr. *mucillago*] (15c) 1 : STICKY, VIScid 2 : of, relating to, full of, or secreting muclilage — mu-chlag-i-nous-ly adv

mu-clin V'myü-sün, n [ISV *muc-*] (1838) : any of various mucoproteins that occur esp. in secretions of mucous membranes — mu-clin-ous \üm-sün-üs, *müt-sün-üs* adj

\ü\ about V' kitten, F table \ü\ further \ü\ ash \ü\ ace \ü\ mop, mar \ü\ out \ü\ chin \ü\ bet \ü\ easy \ü\ go \ü\ hit \ü\ ice \ü\ job \ü\ sing \ü\ go \ü\ law \ü\ boy \ü\ thin \ü\ the \ü\ fool \ü\ foot \ü\ yet \ü\ vision, beige \ü\, \ü, \ü, \ü, \ü see Guide to Pronunciation